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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Communication - WC Docket No. 04-313; CC Docket No. 01-338

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this will serve as notice that on Tuesday, November 23, 2004, the undersigned and the following representatives of Cinergy Communications Company, of Evansville, Indiana --Mr. John Cinelli, President; Mr. Pat Heck, Chief Technology Officer, and Mr. Robert Bye, Vice President and General Counsel, Kansas City-- met with Matthew A. Brill, Esq., Senior Legal Advisor in the Office of Commissioner Kathleen Q. Abernathy, with Scott K. Bergmann, Esq., Legal Advisor, Office of Commissioner Jonathan S. Adelstein, and with Jessica Rosenworcel, Esq., Legal Advisor, Office of Commissioner Michael J. Copps. Cinergy Communications Company distributed the attached handout and discussed its views about the need for continued access to unbundled network elements to enable it to provide uninterrupted telephone service to its customers in Indiana, Kentucky, Tennessee, Ohio and Illinois.

Sincerely,

Douglas G. Bonner

Attachment